IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI CENTRAL DIVISION

TRAVIS HAUGHTON, Register No. 250345,)	
Plaintiff,)	
v.)	No. 05-4127-CV-C-NKL
CORRECTIONAL MEDICAL SERVICES,)	
et al.,)	
Defendants.)	

ORDER

On June 23, 2005, the United States Magistrate Judge granted plaintiff leave to amend his complaint, to include only those claims which have been fully exhausted via the prison administrative grievance process. The Magistrate Judge further recommended that if plaintiff failed to file such amended complaint, the motion of defendants Laramore, Garcia, Gaddy, Jay, O'Donnell, Brown and Jackson to dismiss for failure to exhaust administrative remedies be granted and plaintiff's claims be dismissed, without prejudice, pursuant to 42 U.S.C. § 1997e.

The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). No exceptions have been filed; however, on July 11, 2005, plaintiff filed an amended complaint, identifying only those defendants and claims which he states have been exhausted via the prison administrative process. Accordingly, defendants' motion to dismiss will be denied.

IT IS, THEREFORE, ORDERED that the motion of defendants Laramore, Garcia, Gaddy, Jay, O'Donnell, Brown and Jackson to dismiss for failure to exhaust administrative remedies, pursuant to 42 U.S.C. § 1997e, is denied [17, 31].

/s/
NANETTE K. LAUGHREY
United States District Judge

Dated: September 26, 2005 Jefferson City, Missouri